Cumulative Table of Cases Connecticut Appellate Reports Volume 203

(Replaces Prior Cumulative Table)

Allan v . Commissioner of Correction (Memorandum Decision)	903
Anderson v. Bloomfield. Contracts; third-party beneficiary; motion to dismiss; whether trial court properly determined that plaintiff lacked standing because she was not third-party benefi-	182
ciary of contract.	coo
Baltas v. Commissioner of Correction	699
Bank of New York Mellon v. Madison	8
Foreclosure; motion for judgment; motion for summary judgment; claim that trial court improperly granted plaintiff's oral motion for judgment on its reformation of mortgage claim; whether trial court improperly granted plaintiff's motion for summary judgment as to liability on its foreclosure claim; claim that plaintiff failed to establish that default notice that it had mailed to defendants complied with notice requirements of mortgage.	0
Batista v. Cortes	365
Child custody; motion for modification of custody; claim that trial court abused its discretion in concluding that it was in child's best interests for child to reside with mother; whether trial court failed to properly consider claim of child support overpayment.	000
Bayview Loan Servicing, LLC v. MaCrae-Gray (Memorandum Decision)	903
Berman v. Berman.	300
Dissolution of marriage; postjudgment modification of alimony; whether trial court improperly found that defendant had relinquished claims she might have had to certain marital assets in exchange for lifetime alimony; whether trial court abused its discretion in denying motion for modification of alimony on basis	
of erroneous finding.	
Bouffard v. Lewis	116
11 (c)) was applicable; whether trial court's imposition of automatic stay on orders to make payments of alimony and child support in connection with judg-	
ment finding party in contempt was improper.	
Boutilier v . Commissioner of Correction (Memorandum Decision)	901
Boyd-Mullineaux v . Mullineaux	664
Dissolution of marriage; postjudgment motion for contempt; claim that trial court incorrectly determined that plaintiff was not entitled to receive percentage of profit distributions received by defendant from his purchased membership interest in company; whether distributions that defendant received as result of his membership in company were included in his gross annual earned income from employment as defined in parties' separation agreement; whether trial court properly denied plaintiff's motion for contempt.	
Brown v. Cartwright	490
Product liability; motion to set aside verdict and for new trial; whether trial court	100
erred in denying motion to set aside verdict and for new trial; claim that delay in delivering plaintiff's exhibits to jury constituted harmful evidentiary impropriety; claim that, in returning verdict mere minutes after receiving plaintiff's exhibits, jury could not have followed court's instructions in full, resulting in juror misconduct; claim that defendants' counsel unfairly prejudiced jury by reading from documents not in evidence.	
Buie v. Commissioner of Correction	232
Habeas corpus; mootness; claim that habeas court improperly determined that it	494
lacked subject matter jurisdiction over habeas petition and denied petition for certification to appeal; whether this court could afford petitioner practical relief.	

C & H Shoreline, LLC v. Rubino. Breach of contract, whether trial court properly rendered judgment for defendants on basis that plaintiff's claims were contractually time barred; whether contractual limitation period was ambiguous as to whether term "claiming party" referred	351
only to client or to any party asserting cause of action relating to agreement; application of contra proferentem rule to resolve ambiguity in agreement against drafter.	
Carroll v. Yankwitt Landlord-tenant; action for return of security deposit; whether trial court improperly adopted recommendations of attorney trial referee and rendered judgment thereon; whether e-mail that stated items of damage to leased property complied with security deposit statute ([Rev. to 2013] § 47a-21 (d) (2)) by sufficiently apprising plaintiff of items of damage; whether attorney trial referee improperly concluded that defendant violated Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.) on ground that written statement of damages failed to satisfy requirements of (Rev. to 2013) § 47a-21 (d) (2); whether trial court improperly determined that defendant violated CUTPA on ground that statement of damages was pretextual; claim that attorney trial referee's finding that defendant was not entitled to damages on count of counterclaim alleging certain property damage was clearly erroneous; claim that trial court improperly adopted attorney trial referee's finding that defendant was not entitled to damages for one week of unpaid rent under first lease; claim that trial court improperly failed to award plaintiff full amount of attorney's fee request under CUTPA; claim that trial court improperly failed to rule on plaintiff's request for punitive damages under CUTPA.	449
Carten v. Carten	598
to defendant. Carter v. Commissioner of Correction	794
Coccomo v. Commissioner of Correction	704
Derblom v. Archdiocese of Hartford	197
Disciplinary Counsel v. Cannatelli	236
Donald G. v. Commissioner of Correction	58

request curative instruction when state made same reference; whether trial coun- sel rendered ineffective assistance by failing to investigate claim of uncharged misconduct.	
Estate of James E. Fry v. Lobbruzzo (Memorandum Decision)	901
Georges v. Commissioner of Correction Habeas corpus; whether habeas court improperly concluded that petitioner had not	639
established that trial counsel rendered ineffective assistance in advising him of immigration consequences of plea of nolo contendere; claim that counsel rendered deficient performance by failing to advise petitioner that plea of nolo contendere would result in certain deportation because conviction of reckless manslaughter in first degree in violation of statute (§ 53a-55 (a) (3)) constituted crime of moral turpitude.	
Giordano v. Giordano	652
Dissolution of marriage; whether trial court properly granted postjudgment motion for contempt; claim that trial court's finding that defendant had wilfully violated court order was erroneous; claim that trial court's determination that defendant had ability to pay appellate attorney's fees of plaintiff was erroneous; claim that trial court erred in awarding plaintiff attorney's fees where plaintiff had ability to pay such fees.	
Houghtaling v . Commissioner of Correction	246
Habeas corpus; claim that trial counsel provided ineffective assistance during litigation of motion to suppress evidence at criminal trial; whether trial counsel's failure to call witness at hearing on motion to suppress fell below objective standard of reasonableness; claim that trial counsel rendered deficient performance by relying on Baker v. Carr (369 U.S. 186), rather than Katz v. United States (389 U.S. 347), in memorandum in support of motion to suppress; claim that habeas court deprived petitioner of state and federal constitutional rights to due process of law by analyzing, in its memorandum of decision, exhibit that had been admitted as full exhibit at habeas trial as exhibit admitted only for limited purpose; whether habeas court erroneously excluded certain evidence.	
In re Kiara Liz V	613
Termination of parental rights; unpreserved claim that trial court denied respondent father's right to due process when it denied counsel's request for continuance on basis of father's absence from court; whether trial court erred in its determination of minor child's best interest in terminating father's parental rights.	
In re Riley B	627
Termination of parental rights; reviewability of claim that trial court violated respondent mother's right to substantive due process because there was no compelling reason to sever her liberty interest in integrity of her family while parties waited to learn whether guardianship of minor child could be transferred to maternal relative in another state.	
Jacques v. Commissioner of Energy & Environmental Protection	419
Administrative appeal; injunction; motion to dismiss; whether trial court erred in determining that plaintiff failed to allege facts sufficient to establish standing under applicable statute (§ 22a-16); whether trial court applied proper rule of law when construing factual allegations in complaint; whether trial court erred in determining that allegations of complaint did not come within exception to sovereign immunity for alleged violations of constitutional rights; whether trial court erred in holding that allegations of complaint did not come within exception to sovereign immunity for substantial allegation of wrongful conduct to promote illegal purpose in excess of state officer's statutory authority; whether trial court erred when it ruled that scoping process/review of environmental impact evaluation was not proceeding for purposes of intervention under applicable statute (§ 22a-19).	
	405
Dissolution of marriage; claim that trial court committed plain error by imposing its own findings and interpretation of parties' separation agreement; claim that trial court acted in manner that gave rise to appearance of lack of impartiality; claim that trial court abused its discretion when it issued contradictory findings without changing its modified orders and issued orders that were beyond statutory time frame that defendant did not identify in brief; claim that trial court abused its discretion in finding defendant in contempt.	
Lindquist v. Freedom of Information Commission	512
Administrative appeal; Freedom of Information Act (§ 1-200 et seq.); whether trial	J.

its discretion in finding that redacted records were exempt from disclosure under statute (§ 1-210 (b) (1)); whether trial court abused its discretion when it dismissed plaintiff's appeal, concluding that commission had correctly applied § 1-210 (e) (1) to final comments and ratings at issue; whether final version of comments and ratings served as recommendations for purpose of dean's review of faculty member's rating.	
Luth v. OEM Controls, Inc	673
Mecca v. Mecca	541
M. S. v. P. S	377
Mundle v. iCare Management, LLC (See Peterson v. iCare Management, LLC) Osbourne v. Commissioner of Correction (Memorandum Decision) Pascola-Milton v. Millard Negligence; underinsured motorist benefits; arbitration; motion for summary judgment; whether trial court erred in denying plaintiff's demand for trial de novo following voluntary arbitration; whether plaintiff's claims were barred by two year statute of limitations (§ 52-584).	777 902 172
Peterson v. iCare Management, LLC	777
whether defendants' use of certain real property negatively impacted plaintiffs. Ricketts v. Ricketts	1
St. Pierre v. Commissioner of Correction (Memorandum Decision) Sanchez v. Commissioner of Correction Habeas corpus; res judicata; whether habeas court improperly dismissed petitioner's due process claim as procedurally defaulted; whether habeas court properly dismissed petitioner's actual innocence claim as barred by doctrine of res judicata; whether habeas court improperly denied petitioner's ineffective assistance of habeas counsel claim.	901 752
Sieranski v. TJC Esq, A Professional Services Corp	75
forming any action with intent to deceive or defraud. Solek v. Commissioner of Correction	289

habeas court's conclusion that he had not demonstrated good cause for delay was debatable among jurists of reason, court could resolve issue differently or questions raised deserved encouragement to proceed further; whether record was adequate to review claim that petitioner's severe mental health issues provided good cause for delay; whether habeas court failed to provide petitioner with meaningful opportunity to investigate and to present evidence as to good cause for delay in filing petition.	
G - 3 377 3	89
South Windsor v. Lanata	OU
Starke v. Goodwin Estate Assn., Inc	607
Common Interest Ownership Act (§ 47-200 et seq.); mootness; claim that trial court improperly dismissed complaint as moot because plaintiff's claim for damages included damages to personal property that was not contingent on his continued ownership of condominium unit.	
State v. Capasso	333
Reckless burning, false reporting of incident in second degree; sufficiency of evidence; whether state was required to prove that building in danger of destruction or damage referenced in reckless burning statute (§ 53a-114) was owned exclusively by someone other than defendant; whether trial court abused its discretion in denying defendant's motion to set aside verdict on ground that conviction for reckless burning was against weight of evidence.	
State v. Cheryl J	742
Criminal violation of protective order; claim that evidence was insufficient to prove that defendant had requisite intent to be convicted of criminal violation of protective order; whether criminal violation of protective order is specific intent crime; claim that criminal violation of protective order statute (§ 53a-223) was void for vagueness as applied to defendant; claim that language of protective order provided inadequate notice of what was prohibited.	112
State v. Cicarella	811
Larceny in first degree; motion to dismiss; conditional plea of nolo contendere; subject matter jurisdiction; mootness; claim that trial court erred in denying defendant's motion to dismiss, which alleged that prosecution had been instituted improperly.	011
State v. Foster	740
Assault in first degree; criminal possession of firearm; claim that trial court lacked subject matter jurisdiction and personal jurisdiction; sovereign citizen claim that state and federal governments lack constitutional legitimacy and therefore have no authority to regulate defendant's behavior.	110
State v. Geanuracos	359
Burglary in third degree; larceny in third degree; sufficiency of evidence; whether evidence adduced at trial was sufficient to find that defendant had entered or remained in victim's home unlawfully.	ออย
State v. Gordon (See State v. Lyons)	551
State v. Greene-Walters (See State v. Lyons)	551
• ,	692
State v. Love Assault in first degree; carrying pistol without permit; motion to correct illegal sentence; whether trial court improperly denied motion to correct illegal sentence without appointing counsel pursuant to statute (§ 51-296 (a)) and State v. Casiano (282 Conn. 614).	092
State v. Lyons	551
Possession of controlled substance; sale of controlled substance; possession of drug paraphernalia; possession of controlled substance within 1500 feet of school; possession of drug paraphernalia within 1500 feet of school; operation of drug factory; theft of firearm; negligent storage of firearm; motion to suppress; claim that trial court erred in determining that defendant met his burden of proving expectation of privacy in area searched by law enforcement officers and in determining that defendant had standing to proceed with motion to suppress; claim that trial court erred in granting motion to suppress.	391
State v. Hall-George	219
Robbery in second degree; whether evidence was sufficient to prove beyond reasonable doubt that defendant threatened use of what he represented by his words or	_10

conduct to be deadly weapon or dangerous instrument pursuant to statute (§ $53a-135$ (a) (1) (B)).	100
State v. Russaw	123
Stephenson v. Commissioner of Correction	314
U.S. Bank National Assn. v. Doe	218
 U.S. Bank, N.A. v. Hickey (Memorandum Decision) U.S. Bank, National Assn. v. Moncho Foreclosure; whether trial court erred in determining that defendants were not entitled to implied admissions on special defenses; claim that plaintiff was not proper owner of debt and therefore lacked standing; whether trial court erred in rejecting statute of limitations special defense for lack of ripeness; whether noncompliance with securitization requirements implicated plaintiff's standing; whether defendants received proper notice of default and acceleration prior to foreclosure; whether trial court abused its discretion in rejecting defendants' special defense of unclean hands; whether trial court erred in admitting payment history on note into evidence under business records exception to hearsay rule. Velez v. Commissioner of Correction Habeas corpus; whether habeas court abused its discretion in dismissing, pursuant 	902 28 141
to statute (§ 52-470 (e)), successive petition for writ of habeas corpus for failure to show good cause for delay in filing petition beyond deadline for successive petitions set forth in § 52-470 (d) (2); claim that habeas court improperly determined that petitioner failed to prove that his mental deficiencies, as described in 2005 neuropsychological report, contributed to his delay in filing second habeas petition and, thus, failed to rebut presumption of unreasonable delay set forth in § 52-470 (d).	
Village Mortgage Co. v. Veneziano	154
Vossbrinck v. Accredited Home Lenders, Inc. (Memorandum Decision)	902 903